GOVERNMENT OF INDIA
MINES
LOK SABHA

UNSTARRED QUESTION NO:3150
ANSWERED ON:04.08.2016
Illegal Extraction of Sand from Rivers
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Will the Minister of MINES be pleased to state:

(a) whether any steps have been taken/being taken by the Government to stop the illegal extraction of sand from the river; and

(b) if so, the details thereof and if not, the reasons therefor?

Answer

(a) to (b) Sand is a minor mineral, as defined under section 3(e) of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act). Section 15 of the MMDR Act provides that state governments may, by notification in the official Gazette, make rules for regulating the grant of mining leases or other mineral concessions in respect of minor minerals and for purposes connected therewith. The administration of the mining of minor minerals is a subject that is, therefore, completely within the domain of the respective state governments. Under the power granted to them by section 15 of the MMDR Act, state governments have framed their own minor minerals concession rules.

Besides section 23C of the MMDR Act, 1957 empowers state governments to frame rules to prevent illegal mining and the state governments may, by notification in the Official Gazette, make such rules for preventing illegal mining, transportation and storage of minerals (both major minerals and minor minerals) and for purposes connected therewith. Control of illegal mining is, therefore, under the legislative and administrative jurisdiction of state governments.

Ministry of Environment and Forest and Climate has also issued Sustainable Sand Mining Management Guidelines, 2016, which, inter-alia, also addresses the issues relating to regulation of sand mining. The salient features of the Guidelines in this regard are as follows:

â€¢ To ensure that sand and gravel mining is done in environmentally sustainable and socially responsible manner.

â€¢ Implementing safeguards for checking illegal and indiscriminate mining.

â€¢ Monitoring system for sustainable sand Mining.

â€¢ To improve the effectiveness of monitoring of mining and transportation of mined out material.

â€¢ Ensure conservation of the river equilibrium and its natural environment by protection and restoration of the ecological system.

â€¢ Ensure the rivers are protected from bank and bed erosion beyond its stable profile.

â€¢ Streamlining and simplifying the process for grant of environmental clearance (EC) for sustainable mining.